

**City of Somerville, Massachusetts  
Matters of business of the Board of Aldermen  
in hands of the Clerk by 2PM the day of the meeting**

**REGULAR MEETING**

September 12, 2002, 7:00 PM  
Aldermanic Chambers  
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**PUBLIC HEARINGS**

1. Petition NStar Electric Company for a grant of location, as amended by the City's Lights and Lines Division, for 1 steel guy stub pole (#228/15S) on the westerly side of Medford St. 200 feet south of Somerville Ave.
2. Petition NStar Electric Company for a grant of location for 7 feet of 4 inch schedule 40 PVC conduit at 174 Morrison Ave.
3. Petition Nstar Electric Company for a grant of location for 15 feet of 3 inch schedule 40 PVC conduit at 78 Prospect St.
4. Petition L. Bornstein Company/Rizzo Associates for a grant of location for two monitoring wells in the sidewalk at 329-331 Washington St.

**ORDERS, ORDINANCES, RESOLUTIONS  
AND MOTIONS OF MEMBERS**

5. Citation **Submitted by Ald. White**  
Commending Maurice Haddad for his dedicated service as Past Master of King's Solomon Lodge AF & AM.
6. Citation **Submitted by Ald. Connolly and Heuston**  
Commending John G. O'Brien for the outstanding public health services he has provided the City as CEO of the Cambridge Health Alliance.
7. Order **Submitted by Ald. Taylor**  
That the Superintendent of Lights and Lines replace the street light bulb at the intersection of Stone Ave. and Stone Place.
8. Order  
That the Director of Traffic and Parking enforce the handicapped parking space restrictions and accesses on Columbus Ave.

9. Order That the Highway Superintendent, in communication with the Superintendent of Inspectional Services, reinstall the curbing at 17 Hamlet St.
10. Order That the Director of Traffic and Parking place a DEAD END sign at the beginning of Stone Place.
11. Order That the Commissioner of Public Works place a decorative trash receptacle in front of 112 Highland Ave. to help alleviate the buildup of trash.
12. Order That the Superintendent of Highways contact the Ward Three Alderman regarding a curb cut at 21 Cambria St.
13. Order That the Director of Inspectional Services enforce the zoning regulations pertaining to the illegal driveway at 17 Hamlet St. and report back to the Ward Alderman with a summary of action taken.
14. Order That the Chief of Police order a directed patrol and a park and walk patrol in the Prospect Hill Park and Tower areas between the hours of 10 PM and 3 AM, Thursdays through Sundays.
15. Order That the Commissioner of Public Works re-post a closing time sign in a more visible location at the Prospect Hill Park and Tower areas.
16. Order That the Chief of Police place a speed trap and speed board on Walnut St., between Bow St. and Highland Ave., between the hours of 2:30 PM and 8:30 PM.
17. Order That the Chief of Police place a speed trap and speed board on Vinal Ave. between the hours of 2:30 PM and 8:30 PM.
18. Resolution **Submitted By Ald. Roche**  
That this Board of Aldermen hereby requests that the Planning Board advertise and hold timely public hearings to determine new calculations for the Linkage Ordinance based on the current impact of new commercial development as required under SZO Article 15.5.
19. Order That the Commissioner of Public Works work with the MDC to construct a fence, on both Gilman St. and Flint St., blocking the self-made walkway from 100 Flint St. to Gilman St., as this poses a safety hazard to area residents, and provide an update to the Ward One Alderman. (2<sup>nd</sup> request.)

20. Order That the Committee on Licenses and Permits conduct a Show Cause hearing for the Hess Gas Station on McGrath Highway as to why their 24 hour gas license should not be revoked or reduced in hours, and notify the Ward One Alderman in a timely manner so that all concerned neighbors may be made aware.
21. Order That the Director of Traffic and Parking and the Ward One Community Police Officer monitor Dell St. on a frequent and consistent basis for vehicles with no residential parking stickers and for overnight commercial vehicle parking, and tow and tag as necessary.
22. Order That the Project Manager of the new school at Glen Park ensure that work does not begin before 7 AM.
23. Order That the Commissioner of Public Works repair the lifted sidewalk in front of 33-37 Pennsylvania Ave. ASAP, as this presents a tripping hazard. (One resident has already fallen.)
24. Order That the Director of Traffic and Parking and the Ward One Community Police Officer monitor Fountain Ave. for vehicles parking on the wrong side of the street, and tag and tow as necessary, as this poses a safety hazard prohibiting emergency vehicles from entering the street.
25. Order That the Chief of Police and the Ward One Community Police Officers monitor traffic at Myrtle and Pearl Sts. for traffic coming from Washington St., and enforce traffic regulations, as neighbors are reporting vehicles traveling at excessive speeds and not stopping at the stop sign.
26. Order That the Commissioner of Public Works fill the potholes in front of 40 Glen St. and repair the sidewalk that has a lifted panel. (2<sup>nd</sup> request).
27. Order That the Commissioner of Public Works trim the trees along Glen St. near Tufts St. and Post 388 as necessary, and trim all of the trees on Dell St.
28. Order That the Lights and Lines Division inspect the utility pole in front of 18 Allston St. to be sure it is secure, and work with the phone company to raise the wires feeding 18 Allston St. as they are repeatedly being knocked off when trucks travel on the street.
29. Order That the DPW work with Cataldo Ambulance to remove the graffiti on the rear of their building on Allston St.

30. Order **Submitted By Ald. Heuston**  
That the Director of Traffic and Parking respond to the petition sent to Todd Blake dated May 16,2002, requesting that additional traffic calming devices be installed at the intersection of Springfield St. and Concord Ave.
31. Order That the Director of Traffic and Parking repair the traffic signal at the corner of Cedar and Elm Sts.
32. Order That the Director of Traffic and Parking replace the NO TRUCKS sign at the corner of Somerville Ave. and Central St.
33. Order That the Director of Traffic and Parking investigate the length of the red light signal at the corner of Washington and Webster Sts., in front of St. Joseph's Church.
34. Order That the Director of Traffic and Parking install a NO PARKING HERE TO CORNER sign in front of 120 Beacon St. to mitigate the dangerous traffic flow onto Beacon St. from Kirkland St.
35. Order That the Commissioner of Public Works and the City Solicitor interpret the current trash ordinance and all related ordinances to this Board and attend the next Legislative Matters Committee meeting to provide advice on how to amend the current ordinance to provide better enforcement, review penalties, and better address our current circumstances in light of development and increased absentee landlords.
36. Order That the Superintendent of Inspectional Services investigate the towing business at 508 Somerville Ave. for violations of the noise ordinance, hours of operation and business practices as well as storage of towed vehicles for possible violations.
37. Order That the Superintendent of Inspectional Services examine the property located at 250-256 Somerville Ave. for violations concerning a car repair business in the back yard.
38. Order That the Superintendent of Inspectional Services examine the property located at 250-256 Somerville Ave. for appliances littering the yard.
39. Order **Submitted By Ald. McCallum and White**  
That the Superintendent of Lights and Lines repair the street light at 112 Thurston St.
40. Order That the Commissioner of Public Works notify Russell Disposal of the proper starting time for rubbish collection.

41. Order That the Director of Traffic and Parking repair the street signs at the corners of Edgar Ave. and Heath St. and Bond and Heath Sts.
42. Order That the Director of Traffic and Parking repair the sign posts at the corners of Oakland Ave. and School St. and Radcliffe Rd. and James St.
43. Order That the Commissioner of Public Works repair the pothole at the corner of Gov. Winthrop Rd. and Fellsway West.
44. Order That the Commissioner of Public Works clean the sewers in front of 100 and 103 Grant St.
45. Order That the Director of Traffic and Parking consider placing a NO U TURN sign at the intersection of Broadway and School St.
46. Order That the Commissioner of Public Works repair the sidewalk at the corner of James and Pearl Sts.
47. Resolution **Submitted By Ald. Connolly**  
That this Board of Aldermen hereby extends its congratulations and most sincere and grateful appreciation to native Somervillian Lt. Colonel Lawrence McAnneny, of the United States Army, for his outstanding service to his country, state and city upon his retirement from active duty in the service of his country.
48. Order That the Chief of Police assign a directed patrol to 11 Bromfield Rd. on Thursday, Friday, Saturday and Sunday evenings until further notice, from 10 PM to 6 AM, for noise, open container, and disorderly persons violations, and advise the Director of Public Safety at Tufts University of this location for patrol assistance, as it is likely residents of the building are Tufts students. All necessary action should be taken to curtail such conduct with the strongest sanctions warranted, including arrest and prosecution.
49. Order That the Commissioner of Public Works inspect the corner of Sartwell Ave. and Cherry St. for damages to the sidewalk and take all necessary action to repair and/or correct damage to the sidewalk and curb caused by the contractor working in the area.
50. Order That the Director of the Board of Health and Director of Inspectional Services inspect the listed properties for any and all Health or Zoning Code violations, with particular emphasis on the storage and disposal of household trash, and levy all sanctions possible against the property owners for the careless storage of trash: 215 College Ave., 189 College Ave. and 163 College Ave.

51. Order That the Director of Traffic and Parking enforce the resident parking regulations on Hancock St. and take notice of the proper display of visitor passes by non-residents, and advise in writing of any action taken and/or completed prior to the next meeting of this Board.
52. Order That the Director of Traffic and Parking repair the bent sign pole at the corner of Villa Ave. and Elm Court.
53. Order That the Director of Traffic and Parking enforce the No Parking regulations on Highland Ave., from Willow Ave. to Cutter Ave., and advise in writing as to any action taken prior to the next meeting of this Board.
54. Order **Submitted By Ald. Provost**  
That the City take timely steps to determine whether it has a potential claim arising out of the use of asbestos-containing products in Somerville's schools or other public buildings, so that such claim can be filed before the March 31, 2003 "Bar Date" established in the W.R. Grace bankruptcy hearing.
55. Order That the Planning Department and Division of Inspectional Services collaborate in preparing, for submission to this Board of Aldermen, a package of proposed zoning changes that will limit increases in building density for Residence A, B, and C neighborhoods, by modifications to existing requirements for minimum land.
56. Order That the City Solicitor advise this Board how the definition of "dwelling unit" in the Zoning Ordinance could be amended to clarify what is meant by a "single housekeeping unit."
57. Order **Submitted By Ald. Provost and Taylor**  
That the Highway Department ensure that the following crosswalks are on its Spring re-painting list: Park St. at Somerville Ave., Somerville Ave. at Park St., Central St. at Somerville Ave., Central St. between the Hospital and the Greek Orthodox Church, Central St. at Summer St., and Central St. at Willoughby St. (2<sup>nd</sup> Request.)
58. Order **Submitted by Ald. O'Donovan**  
That the Dept.of Public Works widen the curb-cut at 115 Bartlett St. to allow vehicles easier access and encourage more off-street parking.
59. Order That the Dept of Public Works cut the curb at 6 Conwell St., as one entire side of that street was taken as a fire lane and the resident/owner at 6 Conwell St. is a senior.

60. Order That the Traffic and Parking Dept. paint new crosswalks across Cedar St. and Franey Rd. at that intersection.
61. Order That the Traffic and Parking Dept. repair the broken traffic signal(s) at the intersection of Elm & Cedar Sts, and in the future, place signage before a troubled intersection notifying motorists or place a detail police officer at such a location for safety.
62. Order That the Department of Health inspect 35R Lexington Avenue for animal infestation.
63. Order That the Department of Health meet with the Ward 5 Alderman regarding violations at 26, 15, and 13 Adams St.
64. Order That the Fire Prevention Bureau carry out full enforcement of all remaining issues at 229 Lowell St.
65. Order That the Inspectional Services Director carry out full enforcement of all violations at 229 Lowell St.
66. Order That the City Solicitor's Office interpret the lease with the MBTA behind 35R Lexington Ave., which property encroaches onto MBTA property at the bike path.
67. Order That the City Solicitor's Office contact the Department of Environmental Protection regarding the property at 35R Lexington Ave.
68. Order That the City Clerk request the United States Postal Service remove all graffiti from mailboxes within the City.
69. Order That the City Clerk communicate with the State Treasurer that this City is under no obligation, pursuant to 603 CMR 1.08, Charter School Funding, to reimburse charter school(s) from our taxpayer base, and be at further ordered that the City Solicitor render an opinion of this matter to the Ward 5 Alderman.
70. Resolution **Submitted by Ald. Halloran**  
That this Board of Aldermen hereby supports the upcoming fundraising events of the Gridiron Club, which will help equip and support the Somerville Highlanders Football Team.
71. Order That the DPW inspect the tree at 15 Hill St., regarding a report of property damage there.

72. Resolution **Submitted by Ald. White**  
That the Administration create a task force to review the regulations relating to trash disposal and the manner in which those regulations are enforced.

**UNFINISHED BUSINESS**

None

**COMMUNICATIONS FROM THE MAYOR**

73. Requesting approval to appropriate \$502,000 for electrical upgrades and other improvements to City and school buildings and authorizing the issuance of not exceeding \$502,000 bonds of the City to meet said appropriation.
74. Requesting the reduction of FY03 appropriations in several departments by \$311,586 as described within.
75. Requesting approval of a revised schedule for municipal fees for the City Clerk's Office as described within.
76. Requesting approval of a revised schedule for municipal fines for the Traffic & Parking Dept. as described within.
77. Requesting authorization to pay prior year invoices of \$131.01, \$505.00, and 550.00, as described within.
78. Requesting the approval of an extension of the KTI Recycling of New England Inc. contract for the period of September 30, 2002, to December 31, 2002.
79. Requesting that this Board accept MGL c40 s22F with respect to fixing reasonable fees and charges for services rendered.
80. Requesting that this Board accept a gift of \$4,000 for traffic mitigation from the Cambridge Health Alliance.
81. Requesting confirmation to appoint Domenic Siraco Jr., 55 Trull St., to the Somerville Bicycle Committee.
82. Requesting confirmation to appoint George Manzelli, 88 Wheatland St., to the Somerville Traffic Commission.
83. Requesting confirmation to appoint Gail O'Hare Barry, 61 Bromfield Rd., to the Library Board of Trustees.

84. Requesting confirmation to appoint Richard Daley, 94 Pritchard Ave., to the Zoning Board of Appeals.
85. Requesting confirmation to appoint Marlene Smithers of 38 Powderhouse Blvd. to the position of Alternate Member, Zoning Board of Appeals.
86. Requesting confirmation to appoint Jerri Fullerton, 47 Craigie St., to the City Scholarship Committee.
87. Requesting confirmation to appoint Valerie Fitzpatrick, 1 Aldersy St., to the City Scholarship Committee.
88. Requesting that Eleanor Blute, 51 Partridge Ave., be designated Special Municipal Employee status for her position as School Committee Liaison according to the provisions of MGL c268A s1(n).

### **REPORTS OF COMMITTEES**

89. Report of the Committee on Licenses and Permits, Aug. 27.
90. Report of the Committee on Housing and Community Development, Sept. 4.
91. Report of the Committee on Housing and Community Development, Sept. 9.
92. Report of the Committee on Legislative Matters, Sept. 10.
93. Report of the Committee on Finance, Sept. 10.
94. Report of the Committee on Confirmation of Appointments, Sept. 10.

### **COMMUNICATIONS FROM CITY OFFICERS**

95. City Solicitor re: Rental unit removal fees.
96. City Solicitor re: Amended Graffiti Ordinance.
97. OHCD Director re: The current status of Chapter 40B.
98. Traffic and Parking Director re: Revised criteria for Square dedications.

### **NEW BUSINESS**

99. Public Occ. **Public Occupancy Permit**  
Spice of Life Festival, Somerville Ave. from Bow St. to Washington St., Sept. 22 from 9AM-6PM, raindate Sept. 29.
100. Public Occ. 5<sup>th</sup> Annual School Street Block Party, between Summer and Knapp Sts., Sept. 29 from 11AM-5PM.
101. Public Occ. Charter School flag raising ceremony, Sept. 11 from 10:00-10:45AM.
102. Public Occ. Somerville YMCA/Casey's Road Race, Sept. 8 from 11AM-12:30PM.
103. Public Occ. 4<sup>th</sup> Annual Aberdeen Road Block Party, Aberdeen Rd., Sept. 28 from 2-8PM.
104. Public Occ. New England Firefighters Big City Five & Dime Road Race, Sept. 29 from 7-12PM.
105. Public Occ. B.A. Event Promotions/Somerville Striders Athletic Club Scott C. Foster Road Race, Oct. 6 from 10-1PM.
106. Public Occ. Somerville Pride Girl's Basketball Canning Drive, Broadway & McGrath Hwy, Davis & Union Squares, Highland Ave, and various stores. Sept. 28 from 8:30AM-3:30PM, raindate Oct. 26.
107. Garage Lic. **Renewal of Garage License**  
Yellow Automotive Inc., 28 Marshall St., 12 Autos.
108. Garage Lic. Lou's Auto Repair, 12-14 Marshall St., 10 Autos.
109. Garage Lic. George N. & Joan Tsakos, 72 Berkeley St., 5 Autos.
110. Garage Lic. Constance F. Lauro, 101 Alpine St., 5 Autos.
111. Garage Lic. Mike's Auto Service, 295 Medford St., 20 Autos.
112. Garage Lic. Rodriquez Auto Repair, 68 Joy St., 10 Autos.
113. Flamm. Lic. **Renewal of Flammable License**  
13-19 Highland Ave. LLC d/b/a BF Realty, 54 Highland Ave., for 2,000 gallons.
114. Flamm Lic. 20 Grove St. LLC d/b/a BF Realty, 54 Highland Ave., for 5,000 gallons.

115. Lodging Hse. **Renewal of Lodging House License**  
Tufts Chapter Delta Upsilon, 114 Professors Row.
116. Lodging Hse. Zeta PSI Elders, 80 Professors Row.
117. Lodging Hse. Theta Delta CTI Fraternity, 123 Packard Ave.
118. Outdorr Seat. **Renewal of Outdoor Seating & Goods Permit**  
Carberry's Bakery and Coffee House, 187-189 Elm St., 20 seats.
119. Outdoor Park **New Outdoor Parking License**  
DM Auto Body Inc., 48 Joy St., for not more than 48 vehicles.
120. Used Car Lic **New Used Car Dealers License Class II**  
SVB Inc. d/b/a John's Auto Sales Inc., 181 Somerville Ave.
121. Livery **New Livery License**  
John R. Barbosh, 8 Knapp St. and Mario Barros, 5 Waldo Ave.
122. Extended Hrs **New Extended Retail Hours**  
Brooks Pharmacy #571, 14 McGrath Hwy, for 24 hours, 7 days per week, effective Sept. 29.
123. Extended Hrs Antonios Pizza by the Slice, 236 Elm St. for hours extended to 2 AM.
124. New Taxi Op **New Hackney Carriage Driver**  
Fanel Timoleon, 25A Memorial Rd., Somerville.
125. New Taxi Op David Lynch, 5 Pumping Station Rd., Salem, NH.
126. New Taxi Op Michael Demers, 26 Porter St., Malden.
127. New Taxi Op Frantz Similien, 51 Bradbury Ave., Medford
128. Bond **Drain-Layers Bond**  
N. Sacca & Sons Inc., 40 Brighton St., Belmont.
129. Bond Rockwell Construction Co. Inc. PO Box 651, Lexington.
130. Comm. **Communication**  
Joseph Lynch re: His opposition to the SF Properties proposal for Magoun Square.
131. Comm. SF Properties' attorney re: CVS proposal for Magoun Square.

- 132. Comm. SCAT re: Its inability to post yard sale notices.
- 133. Claim Notice Notice of Claim  
Lauren Song
- 134. Claim Notice Richard Cericola
- 135. Claim Notice Nancy Elderd

**ITEMS RECEIVED AFTER 2:00 PM**